

### **REMARKS**

Claims 1-12, 15-17, 19, and 20 remain pending in this application. Applicants note that the Office Action Summary attached to the Office Action mailed on September 3, 2008, does not appear to acknowledge cancellation of claims 13, 14, and 18, as the Summary indicates that claims 1-20 are pending. Applicants assume, however, that the Examiner entered the previous amendments, as the Summary indicates responsiveness to the previously-filed Response (dated June 10, 2008) and the Examiner's Response to Arguments is responsive thereto. With this Response Applicants amend each of claims 1, 15, and 17 to clarify the scope of the claims, amend claim 1 to include the limitation of claim 9, and cancel claim 9. The amendments add no new matter.

### **Claim Rejections Under 35 U.S.C. §102 – Claims 17-20**

Claims 17, 19, and 20 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Markki et al.*, US Publication No. 2004/0243672 ("Markki"). Independent claim 17 is directed to a method of forming a group space to enable interaction between a first user and at least one other user over a network, the method comprising, in part, transmitting from the first user a request to join the group by sending a communication over the network to a computing device used by the at least one other user to initiate a group communication session between the first user and the at least one other user, ***receiving a response to the invitation request by receipt of a unique numeric identifier associated with the at least one other user***, and displaying a selectable indicator for visually presenting a group member list to the first user, ***the group member list including an indication field of a role for each of the members in the list.***

The Examiner has not established a *prima facie* case that Markki anticipates independent claim 17 because the Examiner fails to point to disclosure of all of the elements recited by claim 17 and, in particular, fails to point to any disclosure (or even suggestion) of (1) receiving a response to the invitation request by receipt of a unique numeric identifier associated with the at least one other user, and (2) displaying a selectable indicator for visually presenting a group member list to the first user, the group list including an indication field of a role for each of the members in the list. In rejecting claim 17, the Examiner relies on paragraphs 0042 and 0043 of Markki as disclosing the former, and on paragraphs 0073, 0192, and 0196 as disclosing the latter. This reliance is misplaced.

First, the “response to the request” disclosed in paragraph 0042 does not disclose a response to the invitation request, as recited by the claim. Instead, the “request” to which a response is disclosed in paragraph 0042 is the user’s desire to find nodes providing information about groups, and is a request to the user’s own node to provide that information. Paragraph 0042 states:

In various embodiments, the user might be able to ***indicate to her node*** via a GUI or other interface ***a desire to find such nodes providing information about groups. In response to the request,*** the ***user’s node*** could, for instance, perform such device discovery and/or ***dispatch one or more queries*** of the sort just noted, the queries containing the appropriate metadata and/or other parameters (emphases added).

See Markki at paragraph 0042. Thus, paragraph 0042 discloses a user’s desire to know about other groups, indicated by a ***request by the user***, through the user’s GUI, in response to which request, the user’s node could dispatch one or more

queries containing metadata and/or other parameters. This is not the same as a response by at least one other user to a request from a first user to join a group.

Moreover, the request to which paragraph 0042 purportedly discloses a response does not disclose ***a response to the invitation request allegedly disclosed at paragraph 0050 of Markki***. The Examiner relies upon paragraph 0050 (see instant Office Action at page 3) as disclosing transmitting from the first user a request to join the group by sending a communication over the network to a computing device used by at least one other user to initiate a group communication session between the first user and the at least one other user. Paragraph 0050 appears to disclose a message that could contain an invitation to a group, but that is ***not the request to which paragraph 0042 discloses a response***.

Further, none of paragraphs 0073, 0192, and 0196, or Fig. 8, discloses displaying a selectable indicator for visually presenting a group member list to the first user, ***the group member list including an indication field of a role for each of the members in the list***, as recited by amended claim 17. Paragraph 0073, for example, discloses a listing of ***groups*** displayed in response to a request to perform a search. The listing of groups is not disclosed as including a listing of group members within any of the groups, as would generally be required to include an indication field of a role for each of the group members in the list. Paragraph 0192 appears to disclose that various roles may be defined with respect to a group, but fails to disclose that any such roles are displayed in a group member list including an indication field of a role for each of the members of the list. Paragraph 0196 and Fig. 8, together, disclose various screens that may be associated with the GUI, but neither any of the screens depicted in Fig. 8, nor the descriptions thereof in

paragraph 0196 discloses the group member list recited by claim 17, much less a group member list including an indication field of a role for each of the members in the list. Moreover, it appears that the remainder of Markki likewise fails to disclose any such list. For at least this reason, Markki cannot anticipate claim 17, and Applicants request reconsideration and withdrawal of the rejection.

Each of claims 19 and 20 depends from claim 17. Therefore, for at least the reasons described above with respect to claim 17, Markki cannot anticipate either claim 19 or claim 20, and Applicants request reconsideration and withdrawal of the rejections.

#### **Claim Rejections Under 35 U.S.C. §103 – Claims 1-12**

Claims 1-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Pearson*, US Publication No. 2003/0028610 ("Pearson") in view of Markki. Independent claim 1 is directed to a computer storage medium comprising computer executable code for a graphical user interface associated with a group interaction application for facilitating file sharing among a first member of a group and at least one other member of the group over a network. As amended, claim 1 recites, in part, code for displaying (1) a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list, and (2) a second control located in the second display area, the second control including a drop-down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member.

Neither Pearson nor Markki, individually or in combination, can render independent claim 1 obvious because the two documents, taken separately or together, fail to disclose or suggest all of the recited elements of claim 1 and, in particular, fail to disclose or suggest each of a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list, and a second control located in the second display area and including a drop-down menu selectable for defining one of a plurality of roles for the at least one other group member.

As described above, none of the citations to Markki relied upon by the Examiner (e.g., paragraphs 0073, 0192, and 0196, or Fig. 8), actually supports the Examiner's contention that the Markki reference discloses or suggests the claimed group member list including an indication field of a role for each of the members in the list. Moreover, and as apparently recognized by the Examiner, the Pearson reference also appears to fail to disclose or suggest any such group member list. For at least this reason, Pearson and Markki, individually or in combination, cannot render claim 1 obvious, and Applicants request reconsideration and withdrawal of the rejection.

Moreover, Pearson does not, alone or in combination with Markki, disclose or suggest a second control located in a second display area and including a drop-down menu selectable for defining one of a plurality of roles for the at least one group member. Once again, the Examiner relies on paragraph 0192 of Markki as disclosing or suggesting this element. However, as described above with reference to claim 17, paragraph 0192 appears to disclose that various roles may be defined with respect to a group, but the paragraph (along with paragraphs 0073 and 0196)

fails to disclose that any such roles are selectable from a drop-down menu. In fact, Applicants did not find any instance of Markki disclosing a drop-down menu at all, much less one selectable for defining the claimed plurality of roles for the at least one group member. Pearson does not appear to disclose any such drop-down menu either. For at least this additional reason, Applicants submit that Pearson cannot, alone or in combination with Markki, render claim 1 obvious. Applicants therefore request reconsideration and withdrawal of the rejection.

Each of claims 2-12 depends from claim 1. Therefore, for at least the reasons described above with respect to claim 1, Pearson and Markki, individually or in combination, cannot render obvious any of claims 2-12, and Applicants request reconsideration and withdrawal of the rejections.

**Claim Rejections Under 35 U.S.C. §103 – Claims 15 and 16**

Claims 15 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Zaner et al.*, US Publication No. 2004/0041836 (“Zaner”) in view of Markki. Like each of claims 1 and 17, previously described, claim 15 recites, in part, a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list. Also like each of claims 1 and 17, the Examiner relies on Markki in support of this particular element. However, as described above with reference to each of claims 1 and 17, Markki does not disclose or suggest a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list. Thus, Markki cannot, alone or combination with Zaner (or Pearson, for that matter) render

claim 15 obvious. For at least this reason, Applicants request reconsideration and withdrawal of the rejection.

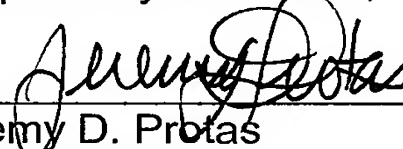
Claim 16 depends from claim 15. Therefore, for at least the reason described above with respect to claim 15, Zaner and Markki, individually or in combination, cannot render claim 16 obvious, and Applicants request reconsideration and withdrawal of the rejections.

**CONCLUSION**

Accordingly, all remaining claims are in condition for allowance for the reasons provided above. Applicants timely file this response with a Petition for a three-month extension of time and the required fee, thereby extending the deadline for Response to March 3, 2009. Additionally, Applicants submit this Response with a Request for Continued Examination and the required fee. Although Applicants believe that no additional fees or petitions are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun LLP under Order No. 30835/306083. Should the Examiner wish to discuss any of the foregoing comments or any claim amendments deemed needed to result in allowance, Applicants kindly request the Examiner to contact the undersigned by telephone at the number given below.

Dated: March 3, 2009

Respectfully submitted,

By   
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